

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

Mona Bailey and William Bailey,

Plaintiffs,

v.

Admin Recovery LLC; and DOES 1-10,
inclusive,

Defendants.

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: Civil Action No.: _____
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COMPLAINT

For this Complaint, Plaintiffs, Mona Bailey and William Bailey, by undersigned counsel,
states as follows:

JURISDICTION

1. This action arises out of Defendants' repeated violations of the Fair Debt
Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (the "FDCPA").

2. Venue is proper in this District pursuant to 28 U.S.C. § 1391(b), in that
Defendants transact business in this District and a substantial portion of the acts giving rise to
this action occurred in this District.

PARTIES

3. Plaintiff, Mona Bailey ("Mrs. Bailey"), is an adult individual residing in Mercer
Island, Washington, and is a "consumer" as the term is defined by 15 U.S.C. § 1692a(3).

4. Plaintiff, William Bailey ("Mr. Bailey" together with Mrs. Bailey hereafter
referred to as "Plaintiffs"), is an adult individual residing in Mercer Island, Washington, and is a
"consumer" as the term is defined by 15 U.S.C. § 1692a(3).

5. Defendant, Admin Recovery LLC ("Admin"), is a business entity located in
Williamsville, New York, operating as a collection agency, and is a "debt collector" as the term
is defined by 15 U.S.C. § 1692a(6).

6. Does 1-10 (the “Collectors”) are individual collectors employed by Admin and whose identities are currently unknown to Plaintiffs. One or more of the Collectors may be joined as parties once their identities are disclosed through discovery.

7. Admin at all times acted by and through one or more of the Collectors.

ALLEGATIONS APPLICABLE TO ALL COUNTS

A. The Debt

8. An individual allegedly incurred a financial obligation (the “Debt”) to an original creditor (the “Creditor”).

9. The Debt arose from services provided by the Creditor which were primarily for family, personal or household purposes, which meets the definition of a “debt” under 15 U.S.C. § 1692a(5).

10. The Debt was purchased, assigned or transferred to Admin for collection, or Admin was employed by the Creditor to collect the Debt.

11. Defendants attempted to collect the Debt and, as such, engaged in “communications” as defined in 15 U.S.C. § 1692a(2).

B. Admin Engages in Harassment and Abusive Tactics

12. Within the past year, Admin began calling Plaintiffs in an attempt to collect the Debt from Taylor Bailey (the “Debtor”).

13. Plaintiffs informed Admin that the Debtor could not be reached at their telephone number.

14. Nevertheless, Admin continued to call Plaintiffs in an attempt to collect the Debt from the Debtor.

COUNT I
VIOLATIONS OF THE FDCPA - 15 U.S.C. § 1692, et seq.

15. Plaintiffs incorporate by reference all of the above paragraphs of this Complaint as though fully stated herein.

16. Defendants' conduct violated 15 U.S.C. § 1692d in that Defendants engaged in behavior the natural consequence of which was to harass, oppress, or abuse Plaintiffs in connection with collection of the Debt.

17. Defendants' conduct violated 15 U.S.C. § 1692d(5) in that Defendants caused a phone to ring repeatedly and engaged Plaintiffs in telephone conversations with the intent to annoy and harass Plaintiffs.

18. Defendants' conduct violated 15 U.S.C. § 1692f in that Defendants used unfair and unconscionable means to collect the Debt.

19. The foregoing acts and omissions of Defendants constitute numerous and multiple violations of the FDCPA.

20. Plaintiffs are entitled to damages as a result of Defendants' violations.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully pray that judgment be awarded in Plaintiff's favor and against Defendants as follows:

1. Actual damages pursuant to 15 U.S.C. § 1692k(a)(1);
2. Statutory damages of \$1,000.00 pursuant to 15 U.S.C. § 1692k(a)(2)(A);
3. The costs of litigation and reasonable attorney's fees pursuant to 15 U.S.C. § 1692k(a)(3); and
4. Such other and further relief as may be just and proper.

TRIAL BY JURY DEMANDED ON ALL COUNTS

Dated: October 18, 2016

Respectfully submitted,

By /s/ Sergei Lemberg

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